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A N
A R G U M E N T
P R O V I N G,

That the Abrogation of King *James* by
the People of *England* from the Regal Throne,
and the Promotion of the Prince of *Orange*,
one of the Royal Family, to the Throne of
the Kingdom in his stead, was according to
the Constitution of the English Government,
and *Prescribed* by it.

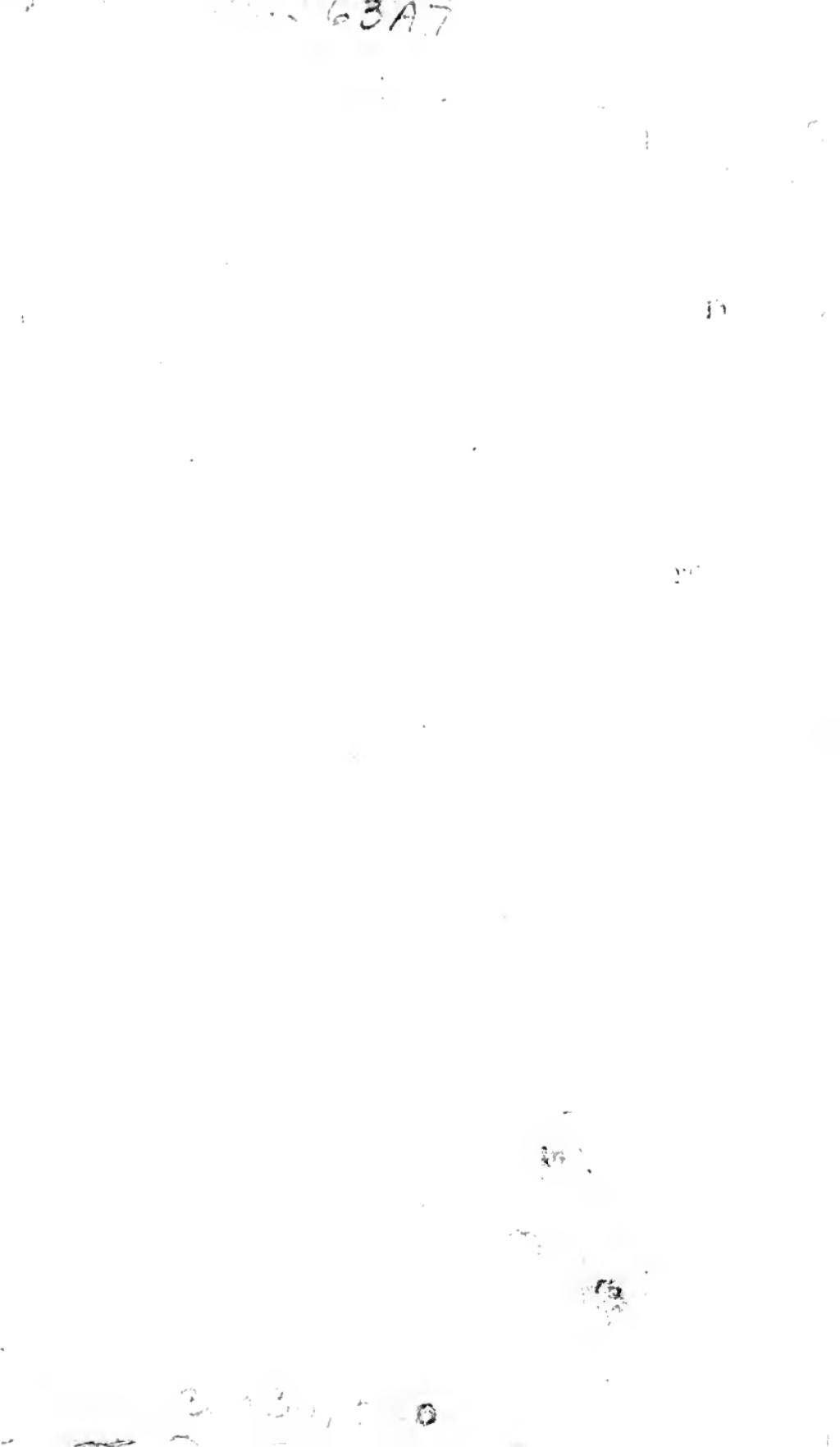
Opposition to all the false and treacherous
Hypotheses, of Usurpation, Conquest, Deser-
tion, and of taking the Powers that *Are* upon
Content.

By *SAMUEL JOHNSON*.

*Nec Deus inter sit nisi dignus vindice nodus
Inciderit.* — Horat.

The Fifth Edition,

London, Printed by *J. D.* for the Author, and are
to be sold by *Richard Baldwin*. 1693.



T O T H E
COMMONS of *ENGLAND*
in Parliament Assembled.

THE favourable Acceptance, which my Bounden Services to my Country, as I ever accounted them, (though they were always difficult, and upon the Forlorn) have heretofore found in your Honourable House, hath caused me to bring you this small Offering. In former Days an Appeal to the Parliament was a removal of the Cause from White-Hall ; but it is our peculiar Happiness in this Reign, that we live under a Prince who had no other Business here, but to restore the Constitution ; which, as his Declaration speaks, was wholly overturned in the former Reigns ; and who lay under a happy Necessity of assisting the People to assert their Rights, before he could secure his own Right and Remainder in the Crown.

This Subversion and Overturning of the best Frame of Government in the World was very artificially managed, and began at your House ; which has been run down as an Innovation, and no Essential Part of Parliament, a Mushroom sprung up in the 49th of H. 3. and founded in Rebellion ;

as if you had no deeper Root in the Government, than Corn has upon the House-top. This scurvy Pedigree of the Commons in Parliament, drawn up by Dr. Brady, was so well liked by the Loyal Clergy, and particularly he was so applauded by Jovian, that Mr. Petye found the Tide so strong against him, as not to venture on a Reply; though to my knowledg he was furnished with a very good one.

But that is not so material, when you began, as what you are; and of the two it is better to be an Upstart Authority, than a silly Cypher: and thus you have been represented to all the degrees of Insignificancy. Your Precarious Being was told you by a wonderful Statesman, who did not spare to inform you, That as the King had Created the House of Commons by his Power, so he would Preserve it by his Goodness; but then come some of the Clergy, and say, what little Creatures both You and the House of Lords are.

Dr. Hicks lodges in the King the whole Legislative, or the Power that makes any form of Words a Law. He says,

p. ' The Sovereign Power may indeed be limited as to the Exercise of this Legislative Power, which may be confined to Bills and Writings prepared by others; but still it is the Sovereign Authority who gives Life and Soul to the Dead Letter of them. Now this is so contrary to the Constitution, as nothing can be more. For not only King Charles the First aeknowledged that the Laws were jointly made by the King, Lords and Commons, (though the Houses insisted upon

upon more) but also in every *Act* of Parliament that is made, it is expressly said in the *Enacting Part*, that it is made by the *Authority* of them All: whereas by this *Doctrine* the Two *Houses* have only a *Ministerial Office* of preparing a *Form of Words*, and furnishing *Bills* and *Writings*, as the King's *Printer's* use to do you with *Pen, Ink and Paper*: And in short, the King alone makes *Laws*, and the Two *Houses* only find *Stuff*.

Now if this sort of *Paradox* had been advanced concerning the *Parish-Chest* of *Barking*, where the *Parson* has one *Key*, and each of the *Church-wardens* one, they could soon have *Mathematically shewn* him, that his *Key* had but one *Third* of the *Chest-opening Power*, and such a *Mistake* would only have made a *Jest*: But in a *Case* of more *Consequence* than all the *Land* in the *Nation*, if it were now to be *sold*, is *worth*, such *false Positions* are very *Dangerous*. For if the *Legislative* were once contracted in one *single Hand*, it were as *absurd* to say it could be limited in the *Exercise* of it, as it is to say that your *House* has not *Power* over your own *Orders*, to *recal and alter* them as you think fit. What shall hinder the *whole Legislative*?

At this rate the *Saying*, of which my Lord *Lauderdale* has had the *Honour*, would have been true, that he hoped to see the King's *Edicts* to be *Laws*, and above the *Laws*; for all *New Laws* are always too *hard* for the *Old Ones*. And the *Arbitrary Proclamation* to forbid the *Nation* to *Petition* for a *Parliament* had been a *Law*, if the *whole Legislative Authority*

Authority was in it : for the L. C. J. North found it very easy to supply the place of both Houses, in drawing up the Form of Words.

However, this is very civil Usage to what you have had from other Hands ; for in this way you have still left you the Honour of being Clerks, and of drawing up a Form of Words. But Dr. Womack in his Short Way to a lasting Settlement, printed by Robert Clavel ; the chief Design of which was, to out the Two Houses from having any Share or Authoritative Hand, as he calls it, in making the Laws, and was shortly after made a Bishop for the Service, has this very insolent Expression : ‘ The Houses you say have a hand in the Legislation : So hath the Beggar in my Almes. As soon as I saw this Odious Comparison, I knew it was falsely applied : for even the Coronation-Oath acknowledges that the Laws of England are of the Folks choosing ; and it is certain that Beggars are no Choosers. But I humbly beseech both Houses upon this Occasion, to have a special care how they suffer this sort of Men to have the Ascendant, who treat them in this manner ; because we have a very harsh English Proverb concerning Beggars.

In the Year of Jovian 83. wherein these Doctrines were published and rung all over the Nation, some of the Honourable Beggars that were for a Bill of Exclusion of the Duke of York in his First Desertion, and were for keeping him out when he was out, after their Lives had been long hunted

hunted by these Men, fell into their Nets : Which Bill had given us this happy Reign several Years sooner, and had saved the Lives of more than an Hundred thousand Men, whose Blood lies at their Door ; but it was then their Hour, and the Power of Darkness. Let that Year be blotted out of Chronology !

These Doctrines I conceive are Destructive to the Nation, because they undermine the Power and Authority of Parliaments, who represent the Nation, and are the Conservers of our Liberties, if we had any ; but those are all taken away by another of their new-adopted Church-Doctrines of Passive Obedience, which I therefore look upon as the worst of them, because it lays waste all your Laws, after you have made them, or worded them, or begg'd them, or however you came by them.

The former Doctrines do immediately destroy you only in the Quality of Legislators ; but this makes you Slaves too, and will not leave you to be so much as English Freemen.

‘ You must be just such defenceless Wretches under the irresistible Power of the Sovereign and his Forces, as the Roman Slaves were under the Sovereign and Unaccountable Power of their Masters. You must be Slaves as to this particular, you must trust your Lives and Liberties with your Sovereign : And therefore the Passive Behaviour taught by St. Peter to the Roman Slaves, is your Duty.

So that if the late Sovereign being enraged at your Address 17 Novemb. 85. which broke all his Measures, had

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200. sitting the Parliament sent his Forces to murder you, you ought to have submitted as the Thebæan Legion did, in which Army of Martyrs you would have made a goodly Regiment.
 ' You were to have suffered it patiently with your Swords by your Sides, and Passive Obedience even unto Death had been your Duty, by virtue both of the Imperial Laws, and the Laws of the Gospel: The Thebæan Legion would not Sacrifice, and you would not come to, which was a like Case; or rather yours was the more provoking Disobedience to an Arbitrary Prince, and so you were bound in Conscience to fare alike.

P. 23. Nay if without any incompliance on your part, he had only had a mind to kill Five hundred Kings at once, as King James the First called the Parliament, for so Dr. Womack relates it from Dr. Heylin, (but whether in way of Jear, or otherwise, he cannot tell) the Sovereign's Forces had been Kings of Kings, and Lords of Lords. For the Chaplain of the Thebæan Legion would have charged you in Christ's Name, by virtue of his own Saying, ' He that
 ov. p. 248. useth the Sword, shall perish by the Sword, not to resist under the specious Pretext of Self-defence, (though I think in that Case the specious Pretence had been very much in Earnest:) And if you had thus sinned against the Laws Imperial, or the People had rescued you by force from the Sovereign's Forces, he would have pronounced concerning you both; ' Well, let them do so at their Peril; they may be legally Hanged for it in this World, and (without Repentance)

‘tance) will be damned for it in that which is to come.

This is Passive Doctrine to a Tittle ; and as you like it, you may cherish that Party which has enslaved the Nation by it, and to whom is owing all the Oppression of the last Reigns. For if the Doctrine of Defending our Rights when they were Invaded, had not been Burnt, Martyr'd and Stigmatiz'd, and the Clergy had not expressly promised King James to inculcate Passive Obedience upon all his Subjects, and thereby to bind the Nation Hand and Foot, and to leave nothing but suffering Souls in his whole Kingdom, he would never have ventured to think of Dragooning us, nor have begun with his Preparatory Oppressions in order to it.

But after they had made him believe that they were Passive to the Death, and Loyal to the Death, when the Burden of their own ill-contrived Oppression came home to themselves, and touch'd but one of their Fingers, they soon let him understand that they had given him only a Spiritual Kingdom, and not a Kingdom of this World : For if his Kingdom had been of this World, then would his Servants have fought for him. But so they Deluded and Parted with their Passive-Obedience-King. For Passive Obedience is calculated only for Tyranny ; suffering under Arbitrary and Illegal Commands and Orders, cannot take place in a Legal Government, neither is there room for any such thing. Till Passive Obedience has either found or made a Tyranny, it can never be a Duty ; nor then neither,

ther, for Tyranny is not Government, but the Destruction of it.

And therefore the two *Histories of Passive Obedience*, and the brisk Sermons that have been Preached upon that Subject in this Reign, are Contraband Goods : for we live under a Prince who within these few Years raised the whole Posse of England against this Doctrine, and by his Declaration Invited and Required all the People of England of all Ranks, to Assist him against the Sovereign and his Forces, to prevent the Nation's being kept under Arbitrary Government and Slavery. We were under Arbitrary Government and Slavery then, and we may thank Passive Obedience for it ; and I am humbly of Opinion that we ought never to come under it more. And therefore I think it worthy your great Wisdom and Justice, that as you have annexed that Princely Declaration to the Crown, and made the Pursuance of it a Principal Point in the Confidence and Trust you reposed in the King, when you Invested him : So you would provide that all those who began, continued, and ended that Glorious Expedition under the Prince of Orange, (which had been a Blew one, if Passive Obedience had been believed, as it was constantly preached for Gospel) may not, in this Reign at least, be represented as Rebels and Traytors, but by some Temporary Act may be Relieved from the Aspersion of Delivering their Country. That one Usurping Priest in his Pulpit may not call

call for Pontius Pilate's Basin of Water, to wash his Hands clean from the Sin of this Revolution; and another Conquering Priest may not Represent those who Invited in, and Assisted this present King, as Men not afraid of the Power as they ought to have been; and another Deserting Priest may not make King James's Forfeiture to be his going away, which was the Best thing that ever he did; and thereby leave all Men to be Rebels and Traytors who had invited, joined, or were prepared to join the Prince of Orange before the 10th of December 88, when our Deliverance was compleated.

These wretched Inventions of Usurpation, Conquest, and Desertion, were found out merely to cover the Doctrine of Passive Obedience, and to keep that safe and sound, notwithstanding the Prince and the whole Nation had engaged in Resisting Oppression, and Defending their Rights. And furthermore, That King William's coming to the Crown might not be enquired into, and be found to be to the Prejudice of Non-Resistance, there is one has likewise found out another Invention, That you are not to trouble your Head, whether the King's Title be right or wrong, but you are to Swear to whatever is Uppermost, whether he be a Rightful Prince or an Usurper, which is the Primitive Doctrine of the Pastoral Letter.

And this is such a Scorn put upon a Free Nation as never was in the World, as if the Subjects of England were to engage their Allegiance Blindfold, and were to ven-

ture their Lives and Fortunes in behalf of a Title which is to be unsight unseen, at that ridiculous rate as no Countryman will buy a Pig.

Now all these Hypotheses have but these two small Faults in Common to them all.

First, That they undermine the King's Throne, as if he had no Legal Right to the Crown: And if he has not, what has he to do with it? For my part I will never pay Allegiance to him as an Usurper; he ought rather to be told daily by his Chaplains that are of that mind, that he ought to make Restitution; It is not Lawful for thee to have thy Father James's Crown; or else they are no St. John Baptists. A Revelation sent on purpose from Heaven, cannot oblige us to be Subjects to an Usurper under that Notion, because it is a Notion of Wrong, and God himself cannot make Wrong to be Right. And then shall any Wretch bid us in his Name to Swear to be Faithful to acknowledged Wrong, and to be False to acknowledged and unextinguished Right? In short, an Usurped Crown is a Stoll'n Crown, it is Blood's Crown.

It is true indeed that God can give Kingdoms to whomsoever he Will; I know it; He can make them a New World on purpose for them, or take the Forfeiture of the Old, and dispose of his own Creation as he pleases: But then it must appear to be his Will, and he must send a New Revelation into the World along with such a highly Favoured Prince, to every Man that is to be his Subject. For I

am not bound to do what God would have me do, till I can certainly know that he would have me do it. Promulgation is of the Essence of a Law.

And this Extraordinary Revelation ought to be as clear and as distinct as Abraham's was for the Sacrificing his Son: for it is as contrary to all the Settled Rules of Right to dethrone a Rightful King, as it is to destroy an only Son. And yet that Command was only intended for a trial of Abraham's Obedience; neither would God suffer it, that there should be a Precedent of an Humane Sacrifice in the World, though at his Own bidding. Is it not enough for an Usurper to wrong a Prince of his Crown, but this must be Hallowed by false Prophets, and said to be done in God's Name; And this proved by no better Argument than Mahomet's Miracle of Success and Settlement?

If therefore a pretended Prophet tells me that I am to own an Usurper as God's Choice, and by Divine Right, and therefore he is no Usurper, I must needs Answer that the Title is far fetch'd, and comes a Great way, and therefore I must desire to see some Proof in point, and shall always call for Miracles for what is said to come from Heaven. And if I had but one half of the Sense which God has given me, I should never be satisfied with the Mahometan Miracle of Success and Settlement. That Impostor's Come-off, when he was called upon for Miracles, was this; That God had sent Moses his first Prophet with Miracles; and when the belief of them was worn out, and the Jews were

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degenerated, he sent Jesus the Son of Mary with more Miracles, which did good for a time ; but his Followers likewise degenerated and altered their Books : And then he sent Mahomet his last Prophet, not with Miracles, which had failed and miscarried twice before, but with the Mouth of the Sword. You ask for a Miracle, says he : Did not we Sack the City Tauris the other day, and put them all to the Sword ? There's a Miracle for you.

I confess I have loved a Good Cause in my time better than my Life, but never a crumb the better for Success : But on the other hand, the want of Success has made it the dearer to me. Success is the new Weathercock upon the Banqueting-house at White-hall : for when the Popish Priests saw the Wind Westerly, then it was Deus pro nobis ; but when at last it stood Easterly to bring over the Prince of Orange, then it was Deus contra nos : And so God is made to be of all Sides at that rate.

What if this Settlement should be Unsettled, (which God of his Mercy defend) as I am bold to say it cannot stand upon King James's Rubbish, no more than a new Pile of Building upon the Heaps which lay in the Stone-Gallery. Well, what then ? Why then in that supposed Case, though the Wind be against us, will I venture a weather-beaten Life for his Majesty's Service ; but not an Hair of my Head, if I can help it, for several Ministers he has.

In short, Usurpation is of the Devil ; and at the rate that any Man alive shall prove, by the Old standing Revelation

lation we have, that an Usurper is a King by Divine Right, will I prove that the French and Irish Massacres were by Divine Right, and that every one of those three hundred and fifty thousand Souls which fell therein were well killed, and that it was all the Lord's Doing. For there is as plain and as legible Scripture, 1 Sam. 2. 6. The Lord killeth and maketh alive, to entitle Him to that bloody Busines, as there is to make him the Setter up of Divine Usurpers.

Conquest is likewise another wicked False Title to unsettle the Throne. This the Prince of Orange disclaimed with detestation in his Additional Declaration, as the Horridest Calumny that could be invented against him, and so Unnatural a thing for an English-man to join in, as if it had been to be Felo de ~~se~~. If this Pretension had been set up when the Prince of Orange came, he had never marched forty Miles in England, though he had come five times stronger than he did: And that which would infallibly have Barr'd him out of England then, can never settle him in it now; no not though it were preach'd from the Clouds, as it only is from the Pulpit, which they have rendred by such means very insignificant. For what is Conquest? Why truly it is a Publick Enemy got within us. It is the King of France, not at Timgmouth, but at White-Hall. A Conqueror is one, whom no after-Treaties nor Consent can ever make a King; for he must have the Consent of Slaves and Minors, who have nothing to give: who

cannot make a Will though it were their last ; who cannot be Parties to a Contract ; for that is everlastingly impossible, unless Men be *sui Juris*, and their own Men at the same time. In a word, Conquest may perhaps extend to lawful Plunder, and to Goods and Chattels, which I never took the People of a Free Nation to be : But if such a Prize-Office-Divinity must needs be set up, that always supposes the Right of Re-prizals.

Desertion is manifestly False : for King James must needs go ; he was as much driven from England, as Nebuchadnezzar was driven to Grass ; and he Claimed as he Fled, by the Rochester Letter. And as for the Wonderful Mystery of dropping the Great Seal in the Thames, if it was done purposely, there was a very Wise Reason for it. For if it had fallen into other Hands, the Broad-Seal of England might have been immediately employed in Proclamations and otherwise against himself. As Queen Elizabeth made use of Queen Mary's Great Seal for a good while ; which the Bishop of Lincoln, Lord Keeper of the Great Seal in King James the First's time, assures us was so, in his Answer to Dr. Cole. Now to establish the Throne upon a Notorious Untruth, is to establish it upon Mr. Milton's Vacuum, where it must fall ten thousand thousand Fathom deep, and know no end of falling.

The last Doctrine, that we are to be subject to the Powers that Are, or any thing that is Uppermost, is at the first sight so wretched a Foundation of our Allegiance, that I

scorn

scorn to confute it. For whereas a Rightful Title is as immoveable as the Pillars of the Earth, on the other hand, upon this Supposition, that Obedience is only due to the Present prevailing Powers, it is but shifting the Guards, and in an instant all the Peoples Allegiance bids their King Good-night.

Secondly, All these Hypotheses, besides their Undermining the King's Throne, as if he had no rightful Title to it, have another Fault in them, that they leave nothing of Liberty or Property in the Nation.

This Revolution had almost stunned the Hierarchy, and was so cross to their Pulpit-Doctrines of Passive Obedience, Unalterable Succession, Indefeasibleness, and Inaccouitableness of Princes, and the rest of their Jargon, that it was very much feared by some of their Disciples, that they would not Comply nor Swear to this Government, and so must leave their Places, and that thereupon would be a Famine of the Word. But there would be no miss of their Preaching to the World's End, if it were such as is before us. So long as People have a Bible, they had better be without their false Closses upon it : Which the People of England have more reason to hate, than King James had the Geneva Notes, printed in Queen Elizabeth's Bibles ; for which Reason he forbade all Marginal Notes upon his Translation of the Bible. In the Conference at Hampton-Court, his Censure of those Notes is this, ' That they were Barlow, ' very Partial, Untrue, Seditious, and favouring too much p. 46, 47.

‘ of Dangerous and Traiterous Conceits. As for Example, Exod. 1. 19. where the Marginal Note alloweth Disobedience unto Kings, &c. But I think the Text allowed it before, ver. 17. But the Midwives feared God, and did not as the King of Egypt commanded them, but saved the Men-Children alive. Was ever such an Exception taken against express Scripture? And yet because of his Unsensical Apothegm, No Bishop, no King, repeated over and over again in that Conference; and that Ecclesiasticus was a Bishop, for which Reason the Puritans were against that piece of Apocrypha being read in Churches, and such-like Clawing of the Clergy, the Arch-Bishop of Canterbury said, That undoubtedly his Majesty spake by the Special Assistance of God's Spirit. So easy is it for those that call themselves the Church, to make Men Inspired, and Saints and Martyrs, when they please.

Upon the Prince of Orange's Invasion, and all Honest Mens Rebellion, as that Party do and must term it, they could not for their Lives make both Ends meet: and because they could not make their slavish Doctrine of Passive Obedience agree with the Revolution, they have endeavoured to bring back the Revolution to them, and to reinstate us just in the Condition we were in five Years ago. It's no matter for the Church of Rome's Infallibility, Impenitency will serve their Turn as well; and if they never repent, they have never err'd.

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Hereupon, while I was a poor Prisoner, and the Eldest of all those that lay upon a Publick Account in England, (though I thought a Thanksgiving-Deliverance from Popery and Slavery, would have reached me in the first place by Seniority; but as I was saying, while I was a Prisoner, and before it pleased God that my Liberty fell into my Lap, to which I was born, and which I threw away with both Hands, and with my Eyes Open, for my Countrey's Service, some Years before it was taken away from me) was I sollicited to write upon the Desertion, in Answer to King James's Claiming Letter at Rochester.

I challenge the piece of Prelacy, who would have put me upon that Job of Under-journey-Work, to Print the Letter which I wrote the next Morning upon that Occasion, and to Answer it if he can. In short, I shewed that by the Law of England no Advantage could be taken of a King's withdrawing himself from the Government, (if it had been Voluntary, as all the World knows it was not) without a Summons sent after him to Return again in forty Days; and yet I guess the same Person had the Confidence afterwards to write upon the Desertion, and to found this Government upon it. But I then in those early Days foresaw, that their Design was to begin where the atoning Passive fag-end of the Lion and Unicorn Sermon left off; and that they intended to enslave the Nation over again, with the only alteration of the Name of James into William. Their Intent was, that all things should run in the late Arbitrary

Channel : For which Reason the very mention of King James's Forfeiting his Remainder in the Crown, by Un-qualifying himself for it before he had it, and of his Abdicating the Crown when he had it, by breaking the Fundamental Contract, and by his Tyranny and Subversion of the Laws, was Ratsbane to these Men, and would have hurt their Passive Doctrine : And therefore there was need of Slight of Hand, to give a new Turn to the Peoples Delivering themselves, and to call it King James's own Des-
sertion.

Well then, according to this Hypothesis of Deser-tion, till a King runs away of his own accord; which was not true in the last Instance, nor ever will be to the end of the World, the People of England have no Remedy against Oppression, nor can ever be rid of a Tyrant ; which makes ours and our Po-sterity's Case worse than it was in K. James's time : For once in an hundred Years there may fall out some Unhappy Occasi-on to Assert the English Liberties, which never yet were so stinted, as to lie at the Mercy of so Unlikely a Case as a Prince's own Deser-tion. We had better have been without our present happy Deliverance, than have it upon those Terms ; for that would be selling a perpetual Estate of Inheritance for one Year's Purchase. For though we have a Good Prince at present, yet there may arise such another Pharaoh as knew not Joseph.

But no doubt the Flattering Sir Poluick foresaw, that if one Prince might Forfeit for his Arbitrary Government, another

another might, and this would be no agreeable Court-Doctrine. Yes verily it is even so: for whoever acts King James's Part, ought to have King James's Fate, only I wish it him Earlier. And I so far rely upon the Integrity and Sincerity of his Majesty's Publick Declaration, that a Single Deliverance was the least part of his Care; but his main End was, to secure the Nation from Relapsing into the Miseries of Arbitrary Government any more. So that if we should Relapse into the Miseries of Arbitrary Government, (which I will never suppose in his time) <sup>Additio-
nal Decla-
ration Oct. 24.</sup> Himself being Judge, we shall then want a new Revolution as much as we did his.

But there are some Men so secure, now Popery is gone, though in great part it is where it was, (and that for such a wise Reason as never was in the World, because our Allies are Papists; whereas all the Papists here are French Papists, and entirely in that Interest:) but because Popery is gone, they have no Apprehensions of Slavery. Whereas Slavery is Popery, Mahometanism, Paganism, Atheism, or any thing that the Prince pleases. For a Slave is a Dog that must leap over a Stick, and leap back again at his Master's bidding.

Desertion was Discussed, whereby the Cause was puzzled, and then there was need of a new Contrivance, and so Conquest was started; and it was asserted in the Pastoral Letter, that the King had a Right to the Crown by Conquest, and that it was a great Condescension to receive it

at the Hands of the People. This raised two Bishops more to pitch upon Conquest as the stronger Hypothesis of the two ; the one of which answered poor Ashton's Speech, and the other has given us but one Third of his Sermon, which has been about two Years in modelling. I called him poor Ashton, because I heartily pitied his Death : for he acted in pursuance of those Principles which his Answerer to my Knowledg has publickly Preach'd above these twenty Years, and which were Church-of-England-Doctrine, or else they had none during that time. I knew their Doctrine was false, and the Men false, and that they would never be Martyrs for it : but they have an excellent hand at Martyr-making ; and when they have brought Men to the Gallows, they leave them in the lurch, after the same manner as they report the Devil does a Witch. But then they need not write against them.

P. 26. The Answerer's Argument is, that we ought to swear Allegiance to the Conqueror; for so they do in the new French Conquests ; and the Right of War here is the same as it is abroad.

We thank him for his Love as much as if we did ; but we will never submit to be in the Condition of Mons and Namur, till we are taken by Storm : And if by his saying, that the Right of War Here is the same as Abroad, he means that we are the new Dutch Conquests, (as the words are capable of no other meaning) I will never trouble my Head with that Matter ; for whenever Foreigners pretend

to be Lord-Danes here in England, I will leave that Controversy to our Wives who can best decide it.

Behold, thrice Honourable and thrice Sage Representatives of your Country, what is become of your English Rights? You are by this Doctrine a Subdued Nation, and a Foreign Conquest; and then I am sure that all the boasted English Liberties, amount to no more than this, that our Thoughts are Free, and your Post-Letters Frank.

Another Conquering Bishop, whose Petitioning Brethren heretofore helped to Spoil the Prince of Orange's First Declaration, and to put a full stop to his Expedition, by the professed Advice which those Bishops gave K. James, to Palliate our Grievances, and to have cheated the Nation the most effectually that could be, has lately done as much for the second Declaration, and has endeavoured to render it the Falsest Paper in the World. With your Leave and Patience I will make out my Story.

When the Prince of Orange had made his Preparations, and our Court was sensible of it, there was Means made to draw several Noblemen to Court to make their Complement to King James; which was to make a Shew to the World, by the help of the Gazette, that the most disengaged Peers were wholly in K. James's Interest. Accordingly the Bishops who had made themselves Popular, by refusing the Declaration for Liberty of Conscience, and by beginning to quote Law when it came to excusing themselves from digging their own Graves, were likewise sent for to Court. When

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the Summoned Bishops came to the King, Septemb. 28. the Arch-Bishop being then not well, there passed nothing but Acknowledgments of Duty and Loyalty on their Side, and gracious Promises of Favour and Protection from their King. This surprized these overweening Persons, who thought they had been sent for to Advise the King in these difficult Affairs. Herenpon they repaired to the Arch-Bishop, who waited upon the King, Sept. 30. with a proffer of their Advice ; which he was ready to accept, and had it three days after in eleven Articles, which have been several times printed and boasted of.

As soon as ever I saw them, I plainly perceived that they were all of them deceitful and Mountebank Remedies : and being urged for my Opinion of them, I gave my Thoughts very freely concerning them, and the rather, because they were said to be very much applauded abroad. I said, that I was sure the King would comply with them, but not all at once ; but he would make his Concessions so, as to garnish the Gazette with them twice a Week, and to amuse the People with a Succession of Favours, as if there were to be no end of them. That these Grievances being thus Redressed, there would be no need of the Prince of Orange's Expedition, to take care of that which was already done to his hand ; and he might even stay on the other Side where he was. That these Concessions would stand till the King had recovered his Fright, and then all things would return into the old Channel : for by this Advice he would put nothing out

out of his reach ; and by fresh Quo Warranto's he would fetch back the Charters in a few Terms, and every thing else in a less time. But if he should make any shew of being reconciled to the Protestant Religion, which was the last part of their Mischievous Advice, it would very much Impose upon the Nation, though it might make for the Interest of the Advisers. For the Advice was selfish I plainly saw, and all over Church ; and the Ecclesiastical Commission, Dispensations, the two Magdalen Colleges, Jesuits Schools, the four Apostolick Vicars which carried the Grist from their Mill, and not filling the Vacant Sees, particularly that of York, was the Burden of their Complaint.

Whereupon I could not forbear saying, That if the Inn-keepers of England had been Bishops, and all the Bishops Inn-keepers for several Years past, then they would have thought a standing Army a Grievance, which was not so much as mentioned in this Advice, and which would at any time retrieve all the former Concessions. I said therefore, I was afraid they did not mean Honestly, but intended to forestall our expected Deliverance, and to intercept the Prince's Voyage ; but if they meant in favour of the Prince's coming, their proffered Politicks would not qualify them to be Statesmen. But I much more questioned their Honesty than their Understanding ; and therefore was sorry to see so Generous a Design as the Prince's was, to be Unblest by Bishops, and puzzled by a little Priest-craft.

The thing was taken right at the Hague : but the first Declaration being thus spoiled, it gave the Prince the trouble of an Additional Declaration ; partly to expose and lay open the Fraud of these pretended Remedies, and partly to meet with a dangerous Suggestion which was then started, of his intending a Conquest.

His excellent Words concerning the last are these :
 ' We are confident, that no Persons can have such hard Thoughts of Us, as to imagine that we have any other Design in this Undertaking, than to procure a Settlement of the Religion, and of the Liberties and Properties of the Subjects upon so sure a Foundation, that there may be no danger of the Nation's Relapsing into the like Miseries at any time hereafter. And as the Forces we have brought along with us, are utterly disproportioned to that Wicked Design of Conquering the Nation, if we were capable of intending it ; So the great Numbers of the Principal Nobility and Gentry, that are Men of eminent Quality and Estates, and Persons of known Integrity and Zeal, both for the Religion and Government of *England* ; many of them being also distinguished by their Constant Fidelity to the Crown, who do both accompany Us in this Expedition, and have earnestly sollicited Us to it, will cover Us from all such Malicious Intentions. For it is not to be imagined, that either

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those that have Invited Us, or those that are already come to Assist Us, can join in a Wicked Attempt of Conquest, to make void their own Lawful Titles to their Honours, Estates and Interests.

Conquering and Enslaving the Nation, which are equivalent Words, and both put together in this Declaration, was so wicked a Design, that his Majesty was not capable of Intending it, and disclaims it with Abhorrence. How then come his Priests to tell him, and the whole Nation besides, that this is God's Way of disposing Kingdoms, and that in this Divine Way he came by his Kingdom, and holds it by that Tenure? Is not this, as I said, spoiling the Second Declaration?

But I will presently join Issue with this Conquering Bishop; for I have not been afraid of a Conqueror these eighteen Years. For so long since I used to walk by the New-Exchange Gate, where stood an overgrown Porter with his Gown and Staff, which gave him a Semblance of Authority; whose Business it was to regulate the Coachmen before the Entrance; and would make nothing of lifting a Coachman off his Box, and beating him, and throwing him into his Box again. I have several times look'd up at this tall Mastering Fellow, and put the Case; Suppose this Conqueror should take me up under his Arm like a Gizzard, and run away with me; am I his Subject? No, thought I, I am my own Man, and not his: and having thus invaded me, if I could not otherwise rescue my self from him, I

would smite him under the fifth Rib. From that time I have had a clear Idea of Conquest, and no Conqueror in the World with all his Power can have any more Right to me than that Fellow.

Yea, says the Bishop, but though the Porter had no clear Right to you by being Sovereign of the Exchange Gate, and Conquering you, yet he had you in Possession. And therefore according to the common Saying, which is most true in this Case, he had eleven Points of the Law.

Now, I say, give me but the one Point of Right, and I will dispute the Eleven Points of Possession with any Man whatsoever; and do no more mind them, than all the variable Points of a Divinity-Compass. But did ever any Man in a Pulpit talk in behalf of the Eleven Points of Law, and maintain Wrong against Right? Why does he not quote another common Saying, which is most true in the same Case, That Right and Wrong is nothing but Weak and Strong. Such Men by God's Judgment are left us in the World to unteach us the difference of Good and Evil.

But the Man is quite out of his Story, and must begin again. For Conquest, even in his Notion, is justling a Man out of his Seat, and sitting down in his Place; and this is done in an Instant, as one Nail drives out another. But this is quite contrary to the Matter of Fact in relation to our two Kings: for King William was not King upon King James's first Flight, nor upon his second Flight, nor during

ring the long Vacancy, which was no fault of mine that it was not shortned, nor till such time as our People made him King. And we have an Act of Parliament in this Reign, which declares the Realm of England to have been Sovereign during that time, by ordering all Indictments, from the time of K. James's withdrawing till the 13th of Febr. to run in their Name. And he that was not King till the 13th of Febr. could not have been so then, if his English Friends had not made him so.

By the Doctrine of an Usurper set up by God, you have nothing left you ; for a Kingdom of God's giving is Nebuchadnezzar's Kingdom ; Dan. 5. 18, 19. Whom he would he slew, and whom he would he kept alive, and whom he would he set up, and whom he would he put down. So that it is the World's End with any or all of you, whenever the Court sends for your Lives, Liberties or Estates. Such an Usurper is a God upon Earth, which it is easy for some sort of Men to make. For so Calyban made Stephano his God, and offered to lick his Foot ; but it was for what he could get by him : And therefore it was Trinculo's Opinion, and it is also mine, that if his God were asleep, he would rob his Bottle.

Who shall set Bounds to a Divine Authority ? He himself that has it from God, cannot part with an Inch of it ; much less can that Herd, which they call the People, either limit or dispute it. His part is to Command, and theirs

to Obey without Reserve. *Humane Laws are Sacrilegious waste Paper, where there is a God amongst them, and a Nation is wholly at Discretion.* No, say they, he is Accountable to God. What is that to us? We may be Destroyed, or laid in Gore Blood for all that. Is not the French King accountable to God? And yet what Reparation is that to the many Millions of Souls which he has destroyed, or what Remedy against the Destruction of as many more? I hate that Phrase; for the English Law has provided better than to make their King only Accountable to God; there's always Mischief in that Saying. I know a Kingdom where an Arbitrary King had exercised his People with intolerable Oppressions for above twelve Years together by his own Confession, and after that engaged them in a bloody War; and after some respite, but before their Wounds were well healed, though he were a Prisoner himself, he caused a new War to break loose upon them; and was wholly secure, because he insisted mightily upon it that he was accountable only to God: Whereupon, though with the Regret of a great part of the Nation, they sent him to God to give an Account. For which Reason I cannot abide that Saying, of being Accountable only to God.

In the mean time the Mishpat Hamelek, and the Right of an Arbitrary and Despotick King is revived by this Doctrine; and the things which are Cæsar's, according to their former false Glosses, is every thing that is not preengaged to God, which we all know is the Church's Portion. So that

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the Church and Cæsar divide the World betwixt them. - Or as Dr. Ball used to lisp it out in his Court-Sermons, Lives and Estates, Wives and Children, all things were Thæthar's: all we had was Thæthar's, and therefore we were to render it to Thæthar. But I suppose no able Lawyer in either Temple, of which he was Master, was ever able to understand this blæse Divinity.

It is true, the Scripture calls Princes Gods, and that is enough for Court-Parasites. For when they have got such a Scripture-Metaphor by the end, how have I seen them ride on the Ridg of it ! Then ^{the} Subjects withdrawing their Obedience from their Lawful Prince, is a denying God's Authority; Treason against him is a kind of Sacrilege; a Revolt from him, an Apostacy from God; a Resisting him, an opposing God; rebelling against him, fighting with God; the setting up the Title of a Counterfeit Prince against the true One, an introducing a Plurality of Godheads; the obeying of an Usurper, Idolatry; the slandering his Anointed, and his Footsteps, a blaspheming God; the blaming his Conduct, a quarrelling with Providence.

Dr. Fitz-
Williams
Thanks-giv-
ing Sermon
for the Mur-
der of my Ld
Russel, &c.

I have said, ye are Gods, is divulged Scripture, and every Body has heard it aloud an hundred times: but there is a neglected Text of Scripture as full of Inspiration as that, which never used to be quoted; Prov. 28. 15. A roaring Lion and a rangeing Bear is a wicked Ruler over the poor People. Here are two Metaphors for their one; and if any Body were disposed to follow the

way of their former Descant, it must run thus upon this Text: *A Lion is a Beast of Prey, seeking whom he may devour; therefore give him no Law; destroy all his Jackalls; deliver the Prey out of his Teeth, and wear his Spoils as Hercules did. A rangeing Bear will kill you if you do not kill him; therefore destroy all his Cubs, for they will be Bears in time; set a Price upon their Heads, and let the Churchwardens pay it.*

This Text is so lively a Picture of a bad Prince, that the Messieurs of the Port Royal are amazed at it, and say thus in their Annotations upon it, *Il n'appartient qu'à Dieu de dire des Veritez si étonnantes. It belongs to no body but God to say such astonishing Truths. But he is so good an Authority, that any body may safely say such astonishing Truths after him.*

Now an hungry rangeing Bear cannot possibly be a God; and therefore when David calls Princes Gods, he meant Good Princes, Benefactors to Mankind, and not his Son Solomon's Bears, who cannot be called Gods, no not by a Figure. And this Distinction is so natural, that it became Proverbial in several of the Learned Languages, *Homo Homini Deus, & Homo Homini Lupus.* One Man is a God to another, and one Man is a Wolf to another. And so far as Princes resemble God himself in Justice and Goodness, let them wear the Psalmist's Titular Honour of Gods, and good Luck may they have with it; but when they degenerate into Solomon's Beasts of Prey, it would be

be so harsh a Figure to call them Gods, that no Language upon Earth can bear it, unless it be that Figure, whereby they use to call things in Scorn.

And yet our false Pulpits used to treat the Bears as if they had been Divinities, when they had just been sucking the best Blood in the Nation; and when they had had more Carnage in half a Year's time, than Popish Queen Mary had in her whole Reign.

But if there be no difference betwixt a Good Prince and a Bad, why did the Nation, a great number of them with the apparent hazard of their Lives, give themselves the Trouble and Charge of this present Exchange? King James would have served their turn as well.

How came the Prince of Orange so generously to undertake his Expedition, but to rescue us out of the Paw of the Bear? If we had been under a God, there had been nothing amiss, and there had been no cause with Force and Arms to have sent him a travelling, where he is, to the Head-Quarters of Tyranny. But the worried People of England invited the Prince, and the Prince assisted the worried People of England; who at last laid their Hands on their Swords, and were unanimously bent to join him against all their Oppressors: And so we came by our Deliverance.

The People of England, if they had not been enslaved by the base Doctrine of Passive Obedience, might very easily have done their own Work themselves, for whom it was most Proper; for his Majesty acknowledges in his Additio-

nal Declaration, That his Preparations were to Assist the People against the Subverters of their Religion and Laws. So that it was their Work principally, to which they invited his Assistance, and prayed him in Aid.

And on the other hand his Words were these. 'We do 'Invite and Require all Persons whatsoever, all the 'Peers of the Realm, Spiritual and Temporal, all 'Lords Lieutenants, Deputy-Lieutenants, and all 'Gentlemen, Citizens, and other Commons of all 'Ranks, to come and assist Us in order to the execu- 'ting of this our Design, against all such as shall en- 'deavour to oppose Us, that so we may prevent all 'those Miseries which must needs fall upon the Na- 'tion's being kept under Arbitrary Government and 'Slavery ; and that all the Violences and Disorders 'which have Overturned the whole Constitution of 'the English Government, may be fully Redressed 'in a Free and Legal Parliament.

This Invitation sounded the best to me of any that came since the Gospel came ; but according to the Passive-Obedience-Men, it was a Call to Hell, and to dip the Nation one and all into Damnation : for he that resisteth, shall receive to himself Damnation. If the Prince had directed this Invitation to them, he had spoken to Stocks and Stones that could not stir : nay, they could not possibly be Neutral, for by their forward treacherous Loyalty they had staked down their Lives and Fortunes on the other Side long before ; and by their

Prin-

Principles were as dangerous to him as so many Grand-valls. So that it was only the brave and sound part of the Nation, that was not tainted with the Poison of Passive Obedience, which Assisted his Majesty in his Arrival to White-Hall, and afterwards in his Access to the Throne, or else he had never come there. There was not an honest Man in England capable of joining the Prince, but he that thought it his Right to defend his Right; which was always the standing English Principle, kept alive in the late Tyranny it self, though to the continual hazard of a Person's Life that I know.

'Tis true, there are Men of no Principle at all, that have since made sufficient Earnings of this Revolution; who being Obnoxious, and out of Service in the last Reign, were willing to try their Chance in this, in order to their last Resort, which is the next. But I look upon such pretended Statesmen as Souldiers of Fortune, who would serve King James one day, and King William the next, and the French King once over again the third, and would be very glad to be Vizier the day following. And therefore there is no relying upon such Men, nor employing them neither; for being hated by the People, they are a Dead-weight to that Government which endeavours to support them.

But my Soul abhors above all, those that obstructed his present Majesty's Accession to the Crown as far as they could for their Lives, whereby they lost Ireland, and involved this Kingdom in Blood and Misery ever since; and

when the Nation had gained the Point, and placed the King in the Throne, could creepingly come off with this Excuse, That though they could not tell how to make a King, yet they knew how to obey a King ; and have ever since vouchsafed to take his Money in Places of the greatest Trust and Profit. But I am sure that those that did not know how to make him King, that is, to give a Vote for his being so, do not know how to serve him Faithfully ; for they must of necessity believe him ill Made, unless they have quite and clean altered their Mind since, which cannot possibly be discovered by their management of his Majesty's Affairs.

The same may be said concerning those of the Clergy, who to hold their great Preferments, and to grasp greater, have taken the slippery Oaths of Allegiance which the Pastoral Letter buttered for them ; and who have thriven by their mischievous Principles that ruined the Nation, and are so far from being retracted, that they are very often repeated ; which are as Contrary and Irreconcileable to this Revolution, as Darkness is to Light. But perhaps it is Merit to ruine a Nation, and to give an Occasion for a gainful Revolution.

The last Hypothesis of Submitting to Titles without examining them, and taking the Powers that Are upon Content, is Passive Obedience in the first Instance : for you must never after question any thing that proceeds from them, but take all things in good part, without so much as

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shrugging your Shoulders. This Author has been among the Quietists ; and it is a great Principle of Molinus, that you must go often to Mass, and inure your selves to take a Wafer for a Man, and thereby learn to mortify your Senses. But because we are Men before we are Christians, and it is impossible to be otherwise, I will sooner mortify my Senses in the way of Transubstantiation, than in the way of Passive Obedience.

Your Honours must needs be sensible, that I have written with some Eagerness against Passive Obedience ; but I gave you such a Samplar of that Doctrine in the beginning of this Humble Address, as will justify the utmost sharpness of Expression, and will answer for me in treating the Preachers of it as Publick Enemies ; and so I have treated them, and not as mine. Though it is very hard for a Man to separate his private Resentments from his publick Zeal, when his Sufferings have been all for the Publick ; for that mingles them together, and he cannot possibly know them asunder, till such time as these Common Enemies have made publick Amends for their Wrong done to the Nation, and not to him. So the great Sampson when he was making his last Effort upon his Country's Enemies, in his very Prayer to God for extraordinary Assistance, could not forbear mentioning his own two Eyes. I do not care for my two Eyes, God thou knowest it.

But sharpnes of Language signifies nothing, where there is more need of the severity of Laws. For shall a poor

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Pickpocket or a Highway-man be hanged for taking away a little loose Money, and these wholesale Thieves, who strip a Nation of their Lives, Liberties and Estates, and all they have, not be look'd after? 'Tis true, they have not the Money; but if the Pickpocket by Conveyance deliver the Money to the Ballade-singer, it will be shared at Night, by all the Rules of Bartholomew-Fair.

I had rather have my House robb'd for once and away, than be told by pretended Churchmen, that a King has a High-way to my Coffers, and that all Persons he sends on that Errand are Irresistible: I had rather live in Prison, than have my Liberty lie at the same lay: And it is better for a Nation (though there is no need of it) to die and go off the Stage, than live a Dog's Life at any one Man's Mercy whatsoever.

I will add further, that though I have been much more conversant with Prisons than with Palaces, yet I have left me that natural Idea of Honour, that I would scorn to be the Prince of a Passive-Obedience-Nation. It degrades a King, and gives him the meanest Office in the World, and the most dishonourable Employment. For whereas a Herdsman and a Muleteer are mean Callings, because they only govern Cattel: So a King, because he governs a vast Number of Men like himself, Brave, Wise and Free, is in the most exalted Station that is upon Earth; he is King of Kings, and is served by Princes. But to wish they were a Venal or a Servile People, is as if my Lord

Lord Mayor should choose to be Common-Hunt.

It is true, the Men that I have to deal with, may very well be of a different Mind from me as to the Constitution of this Government, because they build upon quite different Principles. They excuse themselves, for a very good Reason, from the intricate Labyrinths of Law and History, which are the Rule that I go by; and which are the Standard in this Affair, as the Gospel is of Christianity: So that we may make use of St. Austin's words in this Case, *Quomodo legis? Ubi scriptum est? How readest thou? Where is it written?* Shew me the written Law, make it out by approved History. Nay, they have departed from the standing Rules of Right and Wrong, and the standing Revelation upon that Subject, and have betaken themselves to the Intimations of Providence, and the out-goings of the Morning and Evening, which were their Scraft the other day, when those Expressions were used in the Parliament Army. The Revolution is proved to be Right, because at Torbay the Wind chopped about, as if it had been in the Prince's Pay. Avowed Usurpation is made out by Success and Settlement. The wicked Design of Conquering and Enslaving this Kingdom is Hallowed by Providence, and made to be Divine Promotion; and the Wreck of a whole Nation is proved to be God's-Goods.

To deny God's Providence, is to shut him out of his own World; but to ascribe wicked Actions to the Divine Providence, is the greater Injury of the two. For the English

of God's Providence is, [As God would have it] : Now when this is applied to Usurpation, which is Robbery and Wrong in the highest Degree ; and to the Conquest and Enslaving of a Free Nation, which is the most outragious Oppression ; to say that these are by God's Providence, is to say, that Robbery is as God would have it, and Oppression is as God would have it. But this all the World knows is contrary to God's known and revealed Will : and therefore as the Atheists deny God, so these Men make him to deny Himself.

I hope I shall ever adore God's Providence whilst I live, and do it with more Understanding when I am dead, and therefore I shall be sorry to see the greatest Injustice in the World fathered upon it. That Usurpation, or Conquest, or any other wicked Thing, are by God's Providence, I absolutely deny ; but that they are by Divine Permission, and may use the Stile of Bishops, that I allow. Is it not enough to prostitute Pulpits to the mischievous Flattery of Passive Obedience, (which were made for publishing the Everlasting Gospel of Christ, and nothing else) but they must slander Providence too ? But the best of it is, that these Interpreters of Providence (who would fain have the bestowing of Crowns and Titles, when it is the Peoples Gift ; and the rectifying of Westminster-Hall Law, by their own wry Pulpit-Law ; and the direction of all Publick Affairs, by handling a Text pick'd out of a private place in the Psalms) are easily overthrown in the very Ground-work of their Judicial Astrology.

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For the Disposal of all other things is attributed to God in Scripture, as well as Promotion: and if this Promotion be attained by wrongful and wicked Means, such as Usurping, Conquering and Enslaving a Nation, plainly are; it is Blasphemy to ascribe this ill-gotten Promotion to God. For instance, Prov. 16. 33. The Lot is cast into the Lap: but the whole Disposing thereof is of the Lord. Now, I say, to apply this Text to a foul Throw and cogging the Dice, is Blasphemy: and to say that God has disposed and transferred the hundred Pound Stake to this false Gamester, and that now he has a Divine Right to it, is repeated Blasphemy.

The Bible is a Miscellaneous Book, where dishonest and time-serving Men may ever, in their loose way, find a Text for their purpose. I could give so many Instances of this in the late Times, as would be hateful and tedious. But this I say, that Eternal Righteousness Justice and Truth, Upright Honesty, the Right of the Case and the Reason of the Thing, must always govern the Sense of Scriptural Expressions. For Justice and Righteousness are the same in Heaven as they are upon Earth; and if the Notion of it were not the same in both Places, it were vain to tell us that God is Just and Righteous, for we could not tell what that means; and more vain to bid us be like him in those Divine Perfections, if we did not know them when we see them.

But if there were never a Passive-Obedience-Man left in England, which I hope to see; yet false Titles are of dan-

gerous Consequence. If we are a Conquered and Enslaved People, (as the Simoniacal Parson said by his bought Preferments) we came Honestly by it, for we paid the Penny for it. The Hollanders have had Six hundred thousand Pounds for it, besides great Sums which cannot yet be placed to Account.

Now I am of Opinion that these are dangerous Matters; for the Dutch are Merchants. We shall have Conquests and Titles bought and sold and trump'd upon us, perhaps sooner, perhaps 500 Years hence. For not to mention Danegelt, after the Restoration of the Saxons in Edward the Confessor and Harold, and after the Succession of five Norman Kings, in Richard the First's Time Philip of France demanded the Sister of the King of Denmark with no other Dower, than the Danish Right to England, and the Assistance of a Fleet and an Army for one Year. Which the Danes not complying with, for fear of the Vandals on one hand and the English Courage on the other, Philip at last took her with a Dower of 10000 Marks, which was I believe the better Bargain. But as the Historian says, he therein designed a bloody Business for the Realm of England. *Gervas. Chron. p. 1244.* *Molitus est Regno Angliæ cruentum Negotium.* *Knyghton, p. 2406.*

If Philip had succeeded in this Bloody Business, we have false Prophets now-a-days that would have hallowed it, and made a Divine Right of it; in these following words. *And therefore it is that God, though he has infinite ways,* *yet*

yet commonly chuses to employ Men in this Service. He either finds them at home that are not afraid of the Power Rom. 13. 3. either as they ought to be ; or he brings them in from Foreign Countries, (that is these Danes and French) Whistling Esay 7. for the Fly out of Egypt, or the Bee out of the Land 17. of Assyria : In plain words stirring up a Pharaoh or a Nebuchadnezzar against them.

Now in obscure words here had been both Fly and Bee Whistled in ; but for all these little Interpreters of Prophecies, I am satisfied that our Ancestors would have Whistled them out.

The old Popish Clergy were English-men, and were in at Magna Charta ; and the Lawyers can best tell, Whether the Cathedrals they left behind them, are not since Forfeited, for not reading Magna Charta publickly to the People every Year, as is enjoined by two Acts of Parliament : for which reason they were each of them Intrusted with a Record of those English Rights ; I do not now speak of that Charter's being continually Preached down. I love the Memory of the Abbot of St. Albans in William the Norman Duke's Time, who not being satisfied with his Title, when he was marching his Army towards that Place, fell'd all the Trees cross the Road, and laid Blocks in his way, and harassed all his Army. And when the Duke ask'd him, why he did so ? he answered, because he knew of no Business the Norman had there ; and if all Honest Englishmen had done the same, he had never come so far as St. Albans to ask him

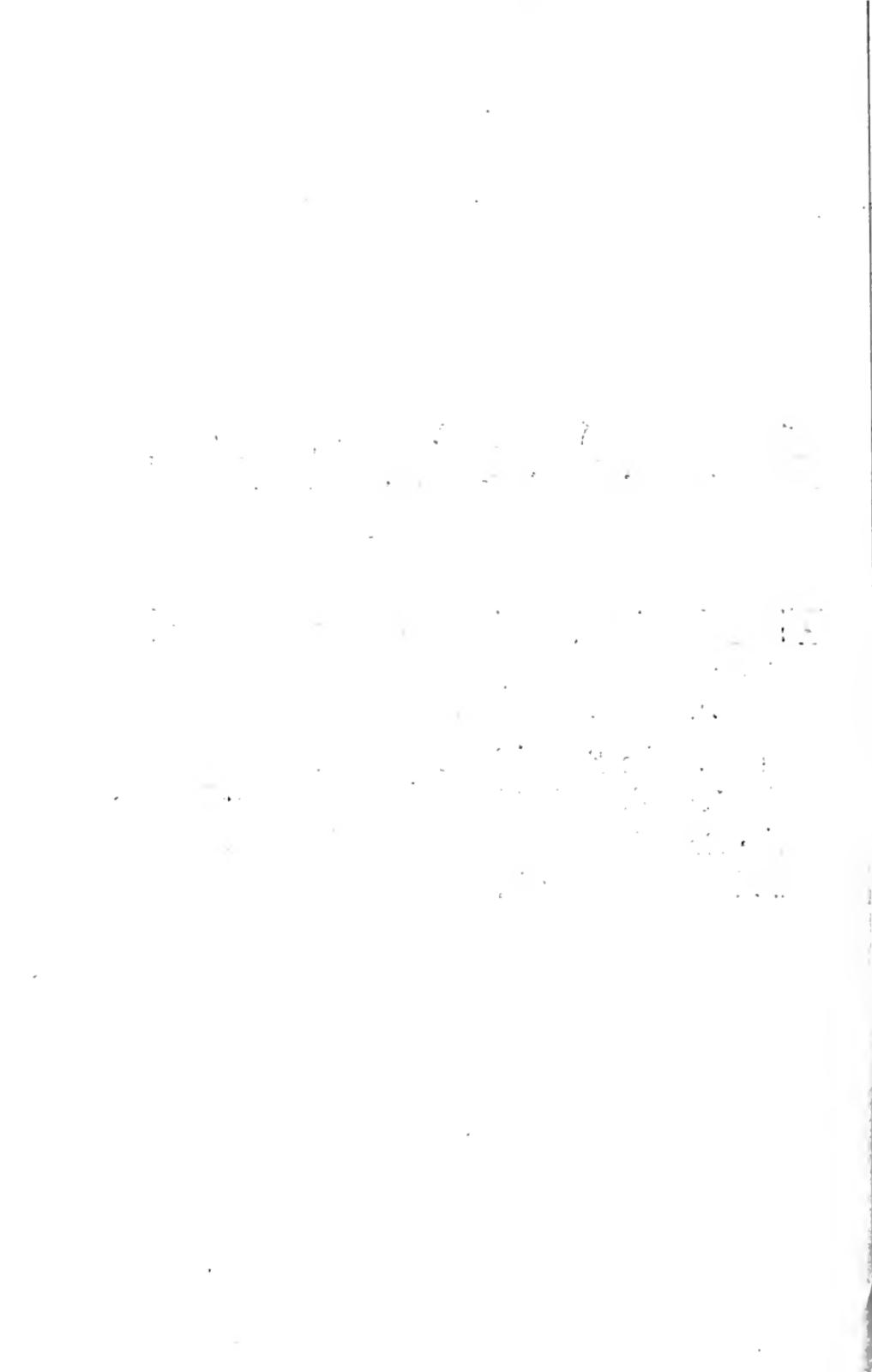
him that Question. I admire the Presence of the Prior of Clerkenwell, in the time of Hen. the 3d as I take it, (it is in History) when in a Dispute about a Point of Right the King meant to overawe him, by saying in K. James's way to the Magdalen-College Men, *Am not I your King?* Yes, says he, while you govern according to *Lair*, but no longer. *I hate Popery, but I love Relicks.*

I know whom I have spoke to all this while in this tedious Address; You are my Countrey, and therefore I submit it wholly to Your great Wisdom; and if you dislike any thing in it, I wish it unsaid: Only I will abide by this in which I can be positive, that I intended it intirely for his Majesty's and my Countrey's Service in Conjunction; and he that talks of their having a Separate Interest, ought rather to be made an Example than a Secretary. But I humbly take my leave; You represent the Body of the Brave English Nation, you have my Prayers, and long fince had my Heart.

A N

ARGUMENT PROVING,

That the Abrogation of King *James* by
the People of *England* from the Regal Throne,
and the Promotion of the Prince of *Orange*,
one of the Royal Family, to the Throne of
the Kingdom in his stead, was according to
the Constitution of the English Government,
and *Prescribed* by it.



THE Argument.

IN this ensuing Argument, which will be very short, I have but these two Points to clear;

The one of Fact.

The other of Right.

First, That *the People of England did actually abrogate or Dethrone King James the Second for Misgovernement, and promoted the Prince of Orange in his stead.*

Secondly, That *this Proceeding of theirs, was according*

according to the English Constitution, and prescribed by it.

First, This Matter of Fact being so fresh in our Memory, needs not to be so industriously proved. The Act ^{1°} William and Mary, declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown, recites the very Instrument of Conveyance of the Crown to the Prince and Princess; which begins in these Words: *Whereas the late King James the Second, by the Assistance of divers Evil Counsellors, Judges and Ministers employed by him, did endeavour to Subvert and Extirpate the Protestant Religion, and the Laws and Liberties of this Kingdom:* which is there made out, by an enumeration of sundry Particulars. And not long after there are these Words: *And whereas the late King James the Second, having Abdicated the Government, and the Throne being thereby Vacant, the two Houses of Parliament do thereupon invest the Prince and Princess of Orange with the Crown.*

King

King James endeavoured to subvert the Government, as they favourably word it; or rather, he had long before wholly subverted and overthrown the Government, as the Prince of Orange's Declaration speaks, (which this very Act has annex'd, and made parcel of the Crown, and expresses to be the only Means of Redressing that Mischief).

There is but one doubtful Word in all that I have recited, which some People make a hard Word; and that is, King James's *Abdicating* the Government; which no Man would stumble at, who had read *Tully* in his third *Philippick*, who says thus concerning *Mark Anthony*, that for his offering a Crown to *Cæsar*,

“ *Eo die non modo Consulatu sed etiam Libertate se Abdicavit, esset enim ipsi certè statim serviendum, si Cæsar ab eo Regni insigne accipere voluisset.* At that time he not only *Abdicated* his Consulship, but his Liberty; for if *Cæsar* would have accepted the Crown, *Mark Anthony* must presently have turned Slave. Now *Mark Anthony* by this Action did not expressly renounce

nounce his Consulship or Liberty, or run away from both of them, but he did that which was inconsistent with them both, **HE FORFEITED THEM BOTH**; which is the true import of that Phrase.

The second thing is the Point of Right; *That this Proceeding of the People of England was agreeable to the English Constitution, and prescribed by it.*

To make this out, I need only recite the Declaration of the Lords and Commons, 10th Rich. 2. in their Message to the King then at Eltham. *Knyghton*, pag. 2683.

Domine Rex,

“SET & unum aliud de nuncio nostro su-
 “pereft Nobis ex parte Populi vestri Vo-
 “bis intimare. Habent enim ex antiquo Sta-
 “tuto & de facto non longe retroactis tempo-
 “ribus experienter quod dolendum est habito,
 “Si Rex maligno consilio quocunque, vel in-
 “epta contumacia aut contemptu, seu pro-
 “terva voluntate singulari, aut quovis modo
 “irregulari, se alienaverit à Populo suo, nec
 “volue-

" voluerit per Jura Regni & Statuta & lauda-
 " biles Ordinationes, cum salubri Consilio Do-
 " minorum & Procerum Regni gubernari &
 " regulari; set capitulo in suis insanis Consiliis
 " propriam voluntatem suam singularem pro-
 " terve exercere; *Ex tunc licitum est eis cum Com-*
 " *muni assensu & consensu Populi Regni, ipsum Re-*
 " *gem de regali Solio abrogare, ET PROPINQUIO-*
 " *REM ALIQUEM DE STIRPE REGIA, LOCO E-*
 " *JUS IN REGNI SOLIO SUBLIMARE..*

" *Our Lord the King*—

" **B**UT there is moreover one part of our
 " Message still left to acquaint you with-
 " al, in the Name of your People. They
 " have it by ancient Statute, and by a late dole-
 " ful Instance, that in case the King shall alie-
 " nate himself from his People by any bad
 " Advice whatsoever, or foolish Contumacy
 " or Contempt, or Self-will, or any other ir-
 " regular Way; and will not be govern'd
 " and ruled by the Laws, Statutes and lau-
 " dable Ordinances of the Realm, with the
 " wholesome Advice of the Lords and Peers
 " of the Realm; but in a Head-strong
 " way.

" way will exercise his own Self-will ;
 " From thence-forward it is lawful for them, with
 " the common Assent and Consent of the People of
 " the Realm, to Depose the King from the Regal
 " Throne, and to promote some Kinsman of his of
 " the Royal Family, to the Throne of the Kingdom
 " in his stead.

Here the Parliament laid down the Law before the King, and gave him fair Warning thirteen Years before they thought of putting it in Execution ; for this was in the Tenth of his Reign, and he reigned three and twenty Years. And as for the Statute they quote, it must needs be a very Ancient Statute, because the Depositing of *Edw. 2.* (who was his Great-Grandfather) in comparison of that, is represented but as of Yesterday.

This Declaration of the Lords and Commons the King could not gain-say ; and they gained their Point upon him by it, to bring him to Parliament. And it is not to be believed that the Parliament of *England* would affirm they had such an Ancient Statute

tute when they had not. It remains therefore to consider how we come by this Record, seeing it is not upon the Rolls in the *Tower*: but 'tis no strange thing it should not be there, because it is the four and twentieth Article in the Charge against *Richard* the Second, afterwards in the three and twentieth Year of his Reign; “Et præterea Rotulos Re-
 “ cordorum Statum & gubernationem Regni
 “ sui tangentium, prædictus Rex deleri &
 “ abradi fecit, in magnum præjudicium Po-
 “ puli, & exhæredationem Coronæ Regni
 “ prædicti, & ut verisimiliter creditur in fa-
 “ vorem & sustentationem sui mali Regimi-
 “ nis. And besides the said King caused
 “ the Rolls of the Records, touching the
 “ State and Government of his Realm, to
 “ be defac'd and razed, to the great preju-
 “ dice of his People, and disherison of the
 “ Crown of the said Realm; and as is cre-
 “ dibly thought, in favour and support of his
 “ Male-Administration.

The only means left us in such a Case, where the Records of the *Tower* fail us, is

to have recourse to the undoubted History of that Age, which was written upon the Spot : Such is *Knyghton's Authority*, whose History was both written, and finished, and closed up in that very Reign.

And though this should be Scare-Crow-Doctrine to the *Passive-Obedience-Men*, yet it is the Tenor of all Antiquity ; It is the Doctrine of the *Mirror* in very many places. It is the Doctrine of the Seventeenth Chapter of King *Edward the Confessor's Laws*. It is the Sense of King *Alfred's Stile*, *Dei gratia, & benevolentia West-Saxonice Gentis*. *That he was King by the Favour of God, and the Good-Will of the English Nation.* It is the Doctrine of the great Lawyers since the Norman Times ; as particularly *Braeton* : “ *Rex autem habet Superiorem Deum ; Item Legem, per quam factus est Rex ; Item Curiam suam ; videlicet, Comites, Barones, qui Comites dicuntur quasi Socii Regis ; & qui habet Socium, habet Magistrum, & ideo si Rex fuerit sine fræno, i. e. sine Lege, debent ei frænum ponere, nisi ipsi met* ”

" met fuerint cum Rege sine fræno, & tunc
 " clamabunt subditi & dicent, Domine Ihesu
 " Christe in chamo & fræno maxillas eorum
 " constringe, ad quos Dominus, vocabo super
 " eos gentem robustam & longinquam &
 " ignotam, cuius linguam ignorabunt, quæ
 " destruet eos, & evellet radices eorum de
 " terra, & a talibus judicabuntur, quia sub-
 " ditos noluerunt juste judicare, & in fine,
 " ligatis Manibus & Pedibus eorum, mittet
 " eos in caminum ignis & tenebras exterio-
 " res, ubi erit fletus & stridor dentium. *Bra-
 ton, Lib. 2. cap. 16. Sect. 3.*

" The King hath three Superiors, God, and
 " the Laws, by which he is made King, and his
 " Court, namely the Earls and Barons; because
 " they are called *Comites*, as being the Com-
 " panions of the King; and he that hath a
 " Companion, hath a Master: and there-
 " fore if the King shall be unbridled, that is
 " Lawless, they ought to bridle him, unless
 " they themselves with their King shall be
 " unbridled and lawless too; and then the
 " Subject shall cry out and say, Lord Jesus

" Christ, hold in their Jaws with Bit and Bri-
 " dle : to whom the Lord shall say, I will
 " bring in upon them a Robustious and Fo-
 " reign and unknown Nation, whose Lan-
 " guage they shall not understand : Which Na-
 " tion shall destroy them, and shall pluck up the
 " Roots of them from the Earth ; and by such
 " they themselves shall be judged, because they
 " would not justly judge the English Subjects.
 " And in conclusion, being bound Hand and
 " Foot, the Lord shall throw them into a Fur-
 " nace of Fire, and outer Darkness, where
 " there shall be weeping and gnashing of
 " Teeth.

So that if the Parliament of *England* neglect
 to do their Duty in this Case, in not restraining
 their King from Lawless and Arbitrary
 Courses, They do it at their utmost Peril ; for
 they are threatned with Destruction for it in
 this World, and will dearly answer it in the
 next.

I have here quoted a knocking Sentence of a
 Lord-Chief-Justice of *England* in the Time of
Henry

Henry the Third, four hundred and fifty Years ago, whose Authority hath been so far valued by both Sides, as to be strove for. The Prerogative-Men quote such Sayings as these ; *Rex non habet Parem in Regno suo ; quia Par in Parem, non habet Imperium.* *Nemo de Factis ejus præsumat disputare ; multo magis contra Factum ejus ire.* And in the very Context of the former large Quotation, *Item nec Factum Regis nec Chartam potest quis judicare, ita quod factum Domini Regis irritet.* Now these and the like Sayings, which are often to be met with in *Bracton*, are to be understood concerning the ordinary Administration of Justice, and not to limit the Transcendent Power of Parliaments which he has so fully display'd in this place ; and his Rule in other places, where there is a new Case, or any thing too weighty for the Judges, is this, *Respectuetur ad Magnam Curiam*, which is the Key of *Bracton's* whole Book.

This Doctrine is agreeable to *Fortescue*, who says, That the People are the Fountain of Power, in that Expression, *Rex à Populo Potestatem Effluxam habet.* And in another place he says, That an Arbitrary Power to oppress the Subjects, could not proceed

ceed from the People themselves ; and yet if it had not been from themselves, such a King as the King of England could have had no manner of Power at all over them : For the truth of it is, it is a Contradiction to deny, that all Civil Power is Originally in the People : For what is Civil Power in English, but the City's Power, and derived from the Community ? And this either limited, or enlarged, as they please. *The Intention of the People* (as Fortescue tells us) *is the Heart-Blood of the Government, and is the Primum Vividum in the Body Politick, as the Heart is in the Body Natural.* And it is impossible to be otherwise ; The Nation must make their King, for I am sure the King cannot make the Nation. And as Sir William Temple very well observes, *The Basis of Government is the People*, though the King be at the Top of it ; and to found the Government upon a King, is to invert the Pyramid, and set it upon the Pinnacle, where it will never stand.

This Doctrine is agreeable to the *Original Contract*, which is in the *Mirror of Justice*, fol. 8. upon the Election of the first English Monarch, which Contract is still continued in the *Coronation-Oath*, and the *Oath of Allegiance* : Which *Oath of Allegiance*

ance doth depend upon the King's taking the *Coronation-Oath* first, which was ever practised till the Reign of *Henry the Fifth*, to whom Homage and Allegiance was sworn before he was Crown'd ; which was a singular Courtesy, and done on presumption of the Goodness of his future Reign.

I might speak of the *Curtana Sword* ; the Power of the Lord High Steward, and other great Officers of the Kingdom, and draw all the Lines of the Government to this Center : But I have been heretofore forc'd to destroy all the Reading of my whole Life with my own hands, and have not since had Health enough to retrieve it ; and now a late Calamity hath fallen upon me that I can do nothing.

Only I must answer one Objection, and that is, That our *Ancient Statute* is not practicable : for the King having the Prerogative of Calling and Dissolving Parliaments, will never assemble them, nor suffer them to sit for such a purpose. But such an Objection as this betrays great Ignorance of the Constitution of English Parliaments. We will allow that the King hath a Prerogative of Calling Parliaments, but he hath no Prerogative of Not Calling them : For not to men-

tion our Right of having *Stationary Parliaments*, not only *Annual*, but *Anniversary*, which sat down constantly at the Calends of *May*, as appears by the Laws of *William the First*; It is plain likewise, that they were not dissolvable at Pleasure; but that even as low as *Henry the Fourth's* time, Proclamation used to be made to know whether there were any Petitions that were to be answer'd in Parliament. The first *Abusion of Law*, as the *Mirror* tells us, is for the King to be above Law, to which he ought to be subject, as is contained in his Oath. And the second *Abusion of the Law*, next to this First and Sovereign *Abusion*, is for Parliaments to be *a la Volunt d' Roy*, at the King's Pleasure.

One of the *Ancientest Remains* that we have concerning the *English Parliaments*, is in the *Mirror*; where he says, in King *Alfred's* time, it was made for a perpetual Law, that the *Counties of England* should assemble themselves twice a Year [*en Temps d' Paix*, in Time of Peace] at *London*, *pour Parlementer*, to hold Parliament. Now I conceive that these words [*in Time of Peace*] do let us into the Reason why this perpetual Law hath been broken, and how it comes to pass that

Parlia-

Parliaments could not be punctual either as to Time or Place ; for we had many Wars and Invasions after that Time, and the *Danes* had the Possession of *London* ; and consequently it was impossible for them to meet there, or indeed to keep their Times of meeting any where else : whereupon there was a Necessity for the King to assemble them, when and where they could meet in Safety ; from whence arose the Prerogative (as I believe) of Calling Parliaments ; which if a Prince uses Honestly, is rather a Trouble to him than any thing else.

If any Person shall vouchsafe to give an Answer to any thing I have here said, I desire him to do it fairly, by setting his Name to it, as I have done ; for I hate to have my Books Answer'd (as they lately were) in a *Midnight Vizor-Masque*.

ADVER

ADVERTISEMENT.

There happened a Mistake in the former Editions, which is rectified in this. It was in *Page 23.* *line 9.* where the Conquering Bishop, who is charged home with spoiling the Prince of Orange's Second Declaration, was said, by the by, to be in at the Proffered Advice which spoiled the First. I had Reasons to believe he was so, or else I had not writ so, which I think my self obliged to make as Publick as the Mistake was.

The Account of the Bishops, who waited upon the King with their Proposals, was within a day or two after sent to the Press by Dr. *Sherlock*, and begins in these words. "Sir, I am much surprized at the ill "Constructions some People make of the Actions of "those Bishops who have lately waited upon the King; "especially considering that most of them *are the Very Men*, who not many Months ago appeared so publickly and so couragiously, even to the hazard of all "the Interests they had in this World, in defence of our "Protestant Religion, and the Laws of the Land.

Now this is a Description of the *Petitioning Bishops*, conceived in such general Terms, that any body would have imagined they had All been there, and that there had not been one of them wanting. And in the Conclusion of that short Paper there are these words. "I "do assure you, and I am certain I have the best grounds "in the World for my Assurance, That the Bishops "will

" will never stir one Jot from their PETITION ; but
 " that they will, whenever that happy Opportunity
 " shall offer it self, let the Protestant Dissenters find,
 " that they will be better than their Word given in their
 " famous PETITION.

This likewise is Undertaken in the name of all the *Petitioning Bishops*, for they All gave their Word in their famous Petition ; how they have kept it, that's another matter.

Whereupon I had not the least Mistrust, but that all the seven Bishops were there : And immediately out of a just Indignation to see the Prince of *Orange*'s intended Expedition blasted, and our selves sealed up in Slavery, by the Advice of Persons whose very Picture had before been a grateful Present to me, and was then over my Head, I ordered it to be taken down, and laid behind the Fire : But in the opinion of a young By-stander, the gilded Frame had done no hurt, and so the Frame saved the Picture.

I tell these little Circumstances to shew, that my Mistake was of the same date with Dr. *Sherlock*'s Paper, and occasioned by those general Expressions in it, and by nothing else. My present Bookseller who had before given me the Picture, and who then brought me the Paper as a great Rarity, is alive to remember all that passed.

And therefore though it was an Error, it needed not to have been called a Calumny : for it was as Innocent a Mistake as the honest Ploughman's was, who thought he had fasted for all the Saints on *Alhallond Eve* ; and when he was afterwards told in the same Month, he must fast again for St. *Andrew*, he wondred very much where

where St. Andrew was on *Alballond Eve*, and how he came to break loose from his Fellows.

But because it proves to be a Mistake, though to me it was perfectly Unknown and Involuntary, yet being in the Party concern'd takes it amiss, I heartily beg their Pardon: And so I will any Man's, who shall ever hereafter think himself aggrieved by any Mistake of mine for this is the first that has hitherto been discovered in all my Writings.

Retracting of an Error is a piece of Lay-Morality which a Man run down by a Mock-Degradation, in *the Name of the Father, the Son, and the Holy Ghost*, and Delivered over to the Secular Arm, and that for the very best things he ever did in his Life, and much better than any of them ever did, may I find still pretense to and practise. The Clergy seem to be Above it which appears by the Phænix-Edition of the *Pastoral Letter*: As if the most false, injurious, and mischievous Writings in the World, only because they are Theirs, were stamp'd with an Indelible Character like themselves.

F I N I S.



